

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

RUEL M. HAMILTON (01)
CAROLYN RENA DAVIS (02)

No. 3:19-CR-083-S

AGREED MOTION TO TRANSFER

The United States of America, by and through the undersigned Assistant United States Attorney for the Northern District of Texas, moves for an order transferring this case to the Honorable United States District Chief Judge Barbara M.G. Lynn, and in support thereof, provides the following information:

1. The indictment in this case charges the defendant, Ruel M. Hamilton, with two counts of bribery regarding programs receiving federal funds, 18 U.S.C. § 666. (Dkt. 1.) Count One alleges that Hamilton, from approximately November 2013 to June 2015, paid bribes to then Dallas City Council Member Carolyn Rena Davis in connection with business or transactions of the City of Dallas. (Dkt. 1 at 6.)

2. Davis previously pled guilty to conspiracy charges arising from her receipt of bribe payments from Hamilton. (Dkt. 10.)

3. Count Two alleges that Hamilton, on or about August 3, 2018, offered to pay a bribe to Council Person A whom the government has previously identified as former Dallas City Council Member Dwaine Caraway. Caraway previously pled guilty to bribery and tax charges before Chief Judge Barbara Lynn (No. 3:18-CR-00409-M), and is expected to testify against Hamilton under the terms of his plea agreement in Judge Lynn's case.

4. Recently, on April 5, 2019, Judge Lynn sentenced Caraway to a term of imprisonment. Judge Lynn acknowledged that Caraway could be eligible for a sentencing reduction based on his future testimony against Hamilton, but declined to take that potential cooperation into consideration in fashioning his sentence at the time. Accordingly, Caraway's anticipated testimony in this case could be an important factor in Judge Lynn's decision regarding any future reduction in his sentence, and the parties believe that her ability to view his testimony live best serves the interests of efficiency, consistency, and fairness.

5. Accordingly, pursuant to Local Rule 57.3(b), the parties respectfully request that this matter be transferred to Judge Lynn's court.

Respectfully submitted,

ERIN NEALY COX
United States Attorney

/s/ Andrew Wirmani

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CERTIFICATE OF SERVICE

I hereby certify that on **May 2 2019**, I or co-counsel conferred with Abe Lowell, counsel for defendant Hamilton, and Heath Harris, counsel for defendant Davis. Both lawyers indicated that their clients agreed to this motion.

/s/ Andrew Wirmani

Andrew O. Wirmani
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on **May 2, 2019**, I electronically filed the foregoing document with the Clerk of Court for the United States District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to all attorneys who have consented in writing to accept this Notice as service of this document.

/s/ Andrew Wirmani

Andrew O. Wirmani
Assistant United States Attorney